

MEMORANDUM

To: Polson City – County Planning Board

From: Joel Nelson, Land Solutions

Copy: Polson Development Code Update Committee

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Date: August 4, 2014

RE: Polson Development Code updates regarding regulations for Signs

The next Planning Board workshop to discuss revisions to the Polson Development Code (PDC) will take place on Monday, August 11, 2014 at 6:00 p.m. in the City Council Chambers of Polson City Hall.

The PDC Update Committee thought would be important for the City-County Planning Board to review the revised regulations for Signs (Chapter IV, Section X, pages 102 – 117 of the PDC Draft for Planning Board and Public Review, June 10, 2014).

The existing PDC regulations for signs are found in Appendix B – Detailed Performance Standards for Signs, which was adopted in 2001 as an addendum to the Polson Development Code. The draft section would be incorporated into the performance standards chapter, and have been drafted to fit better within the regulations, and less as an afterthought. The section still includes sign-specific definitions within it for convenience (as opposed to relying upon sign-specific definitions only in the definitions chapter of the PDC, Chapter VII). Some definitions are proposed to be added, while others are proposed to be excluded, because of other changes, including those resulting from the standards now being found in Chapter IV instead of an appendix.

The changes proposed are numerous and can be found throughout the draft section, so it is difficult to explain all proposed changes. However, this memo is intended to highlight some of the more noteworthy changes. Examples are as follows:

1. Section X.4 is a section for “Signs For Which a No-Fee Permit is Required” (page 103), which includes the following new provision: *“The following types of signs must comply with all permit requirements described in Chapter III.I and III.J except no permit fee is required: Signs used by religious institutions, government agencies, libraries, non-profit public service organizations, museums or civic organizations.”* Previously, most of these types of signs were exempt from permit requirements but were required to comply with all other requirements of the regulations. This change is intended to allow for an administrative review of these types of signs to ensure they comply with the regulations before installation.
2. There is still a section for “Signs Not Requiring Permits” (X.5, page 104). These types of signs are allowed and are exempt from permitting requirements but must be in conformance with all other requirements of these standards. The section now clarifies that additional signage beyond what is exempted requires a permit and is subject to applicable performance standards. The section includes a comprehensive list of types of signs and other displays exempt from permitting requirements, several of which were not addressed before.
3. Sign permit fees have been removed from the PDC so that the city and county can adopt fees through fee schedules without needing to adhere to statutory requirements for zoning amendments, which can be cumbersome.
4. In many instances, performance standards have been removed from definitions and standards are instead included in appropriate sections.
5. Freestanding off-premise signs, with the exception of those 16 square feet or smaller and billboards, are now only allowed in the HCZD and CIZD. Freestanding off-premise signs 16 square feet or smaller are now addressed under Section X.5.m (Portable Signs, page 104) as portable “sandwich board” signs that can be allowed in certain zones, subject to limitations.
6. Sign lighting and automatic changeable copy (“dynamic display”) signs have been clarified to limit flashing, address neon signs in certain districts, and set standards for dynamic displays. See Section X.7.l & m (pages 108 – 109).

Other noteworthy changes include the performance standards for typical commercial/business signage. The standards for freestanding signs are proposed to be simplified, and the total maximum signage area allowed in commercial zones is proposed to be limited to better reflect the overall intent to limit the proliferation of commercial signage in these areas. The following three examples are intended to demonstrate how the changes might affect example development proposals, in terms of allowed standards such as sign size, height, and types of signs. The focus will be on standards for freestanding signs, with a discussion about the noteworthy changes and how non-freestanding signs (such as

building-mounted signs) are also limited by the proposed new standards. The examples compare the current standards (from the existing PDC) versus the proposed standards (from the draft PDC).

Example 1, HCZD:

Example 1 is a scenario where a commercial development is proposed in the Highway Commercial Zoning District (HCZD). One of the most noteworthy changes results from the PDC update committee's recommendation that instead of commercial developments often being allowed freestanding sign area based on the building's square footage and/or street frontage (in the current PDC, the larger the building and street frontage, the more signage allowed), the draft regulations would allow such commercial developments a given amount of signage regardless of the size of building or street frontage.

Example 1: A 12,000 square foot commercial building in HCZD with 200 lineal feet of street frontage and 4400 square feet of visible building surface area (see other building dimensions below)				
Total maximum sign area:	Current maximum:	None		
	Proposed maximum:	240 square feet		
Freestanding or monument sign				
Performance standard				Resulting standard
Sign Height	Current maximum:	14 feet (area ≤210 sq. ft.)	20 feet (area ≤150 sq. ft.)	Dependent upon area
	Proposed maximum:	14 feet (area ≤ 160 sq. ft.)	20 feet (area ≤115 sq. ft.)	
Sign Area	Current maximum (average of both):	120 square feet, based on 1% of ground floor area of principal building	120 square feet, based on 1% of ground floor area of principal building	160 square feet (average based on height and street frontage), or 115 sq. feet, depending on height
		200 square feet, based on 1 sq. ft. per lineal ft. of street frontage	200 square feet, based on 1 sq. ft. per lineal ft. of street frontage	
	Proposed maximum:	160 sq. ft. (height ≤14 feet)	115 sq. ft. (height ≥14 feet & ≤20 feet)	160 sq. ft. or 115 sq. feet, depending on height
Non-freestanding sign				
Sign Area	Current maximum:	1540 square feet, based on 35% of the visible building surface area		1540 square feet
	Proposed maximum			80 square feet, if 160 square feet of the total maximum of 160 square feet is used for a freestanding sign

So, under the *current* regulations in Example 1, a developer desiring a sign 14-feet in height could have a freestanding sign with an area of up to 160 square feet or a 20-foot high sign of up to 115 square feet.

Under the *draft* regulations, a developer desiring a sign 14-feet in height could have a freestanding sign with an area of up to 160 square feet, which is capped as a result of the sign height of 14-feet. The developer could choose a freestanding sign up to 20-feet in height with an area of up to 115 square feet, which is capped due to the increased height over 14-feet, but ≤ 20 -feet. In this scenario, there is no change to the free-standing signage allowed, but under the *existing* regulations, as building size and/or street frontage vary, the allowed sign area varies, which is not the case under the *proposed* regulations.

It is important to note that under the proposed regulations, the *total* maximum sign area allowed would be a maximum of 240 square feet. Therefore, with a 14-foot sign having an area of 160 square feet, the remaining sign area allowed would be 80 square feet, which could be used for additional signage, such as a building-mounted sign. Under the *existing* regulations, additional non-freestanding signage could amount to up to 35% of the visible surface area of two sides of the building. For instance, under Example 1, if the building is 20-feet in height and 120' by 100' in area, with 4400 square feet of visible building surface area, building-mounted signage of up to 1540 square feet could be allowed, which is substantially more than the freestanding signage allowed. In Example 1, the *draft* regulations would effectively limit signage regardless of whether it is building-mounted or freestanding, but allow flexibility as to the types of signs (building-mounted vs. freestanding) that use the total maximum area of 240 square feet.

Example 2, CBZD:

Example 2 is a scenario where a commercial development is proposed in the Central Business Zoning District (CBZD).

Example 2: An 8,000 square foot commercial building in CBZD with 80 lineal feet of street frontage and 2400 square feet of visible building area (see other building dimensions below)				
Total maximum sign area:	Current maximum:	None		
	Proposed maximum:	140 square feet		
Freestanding or monument sign				
Performance standard				Resulting standard
Sign Height	Current maximum:	14 feet (area ≤160 sq. ft.)	20 feet (area ≤115 sq. ft.)	Dependent upon area
	Proposed maximum:	14 feet (area ≤ 160 sq. ft.)	20 feet (area ≤115 sq. ft.)	
Sign Area	Current maximum (average of both):	80 square feet, based on 1% of ground floor area of principal building	80 square feet, based on 1% of ground floor area of principal building	80 square feet (average based on height and street frontage)
		80 square feet, based on 1 sq. ft. per lineal ft. of street frontage	80 square feet, based on 1 sq. ft. per lineal ft. of street frontage	
	Proposed maximum:	80 sq. ft.		80 square feet
Non-freestanding sign				
Sign Area	Current maximum:	840 square feet, based on 35% of the visible building surface area		840 square feet
	Proposed maximum	480 square feet, based on 20% of the visible building surface area		60 square feet, if 80 square feet of the total maximum of 140 square feet is used for a freestanding sign

Example 2 shows that under this specific scenario, the allowed area for a freestanding sign in the CBZD would be unaffected by the draft regulations. However, under the existing regulations, a commercial use with more ground floor area or street frontage than this example would be allowed more freestanding sign area.

In addition to freestanding signs, non-freestanding signs (e.g., projecting signs, awning signs, building mounted and wall signs) are allowed in the CBZD. Under the *existing* PDC, such signs are limited only to 35% of the visible building surface area not to exceed 35% of the surface area of two sides of the building structure, with no specific upper limitation. Under the *draft* regulations, freestanding signs would be permitted on no more than 2 sides of a building or structure and occupy no more than 20% of the surface area of each of the 2 sides. In a typical scenario like Example 2, where it is likely the building occupies its entire 80 feet of street frontage and only that side of the building is visible, with a 30 foot building height and visible square footage of 2400 square feet, 20% of the surface area would amount to 480 square feet. Since the maximum area of all signs on a premise is generally 140 square feet, after

using 80 square feet for a freestanding sign in Example 2, 60 square feet could be other signage such as building-mounted signs. The current regulations' limitation of 35% of the visible area would result in an allowed 840 square feet of non-freestanding signage in Example 2, which is in addition to the 80 square feet from the one permitted freestanding sign. Therefore, the proposed draft regulations would effectively limit non-freestanding signage in the CBZD substantially.

Example 3, RRZD:

Example 3 is a scenario where a lot in the Rural Residential Zoning District (RRZD) is proposed to be developed with a community residential facility. For such uses, the current PDC allows for one freestanding or monument sign, not to exceed the commercial standards for HCZD and CIZD.

Example 3: A community residential facility with 6000 square feet of ground floor area in RRZD with 200 lineal feet of street frontage				
Freestanding or monument sign				
Performance standard				Resulting standard
Sign Height	Current maximum:	14 feet (area ≤210 sq. ft.)	20 feet (area ≤150 sq. ft.)	Dependent upon area
	Proposed maximum:	10 feet		10 feet
Sign Area	Current maximum (average of both):	60 square feet, based on 1% of ground floor area of principal building	60 square feet, based on 1% of ground floor area of principal building	130 square feet (average based on floor area and street frontage)
		200 square feet, based on 1 sq. ft. per lineal ft. of street frontage	200 square feet, based on 1 sq. ft. per lineal ft. of street frontage	
	Proposed maximum:	64 square feet		64 square feet
Wall sign				
Sign area	Current maximum:	24 square feet		24 square feet
	Proposed maximum:	16 square feet		16 square feet

Under Example 3, it is plain to see that applying the commercial sign standards in the RRZD can result in substantially larger signs based on building floor area and street frontage. The proposed maximum area of 64 square feet is intended to limit commercial signage in the residential zones.

In addition, the residential zones *currently* allow for one wall sign, not to exceed 24 square feet in total sign area and external lighting. Under the *draft* regulations, community residential facilities (8 or fewer residents) are also allowed one building mounted sign, not to exceed 16 square feet in total sign area, with a maximum 4 foot projection and externally lit only.